



Maine Conservation Voters

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Testimony in Support of LD401, *An Act to Support Removal of Overboard Discharge Systems*

February 24, 2025

Senator Tepler, Representative Doudera and distinguished members of the Joint Standing Committee on Environment and Natural Resources, my name is Cathy Breen. I am speaking today as the Director of Government Affairs at Maine Conservation Voters. Maine Conservation Voters, a statewide non-profit organization with 13,000 members and supporters, is building a just, thriving future for all by acting on the climate crisis, protecting the environment, and safeguarding our democracy. I'm pleased to speak in support of LD 401, *An Act to Support the Removal of Overboard Discharge Systems*. I thank Representative Hepler for bringing this bill forward on behalf of the Maine Department of Natural Resources (DEP) in consultation with the Department of Marine Resources (DMR).

The primary goal of LD401 is to reduce closures of shellfish habitats along the coast of Maine and to make more areas available to shellfish harvesters. Softshell clam diggers earned \$13,881,073 in 2023, which made the fishery the state's third most valuable.¹ This bill is good for the environment and good for business.

Overboard Discharge Systems (OBDs) are small mechanical plumbing systems that attempt to disinfect sewage and wastewater on its way directly into neighboring soils, rivers, lakes and the ocean. The Department of Environmental Protection (DEP) has regulated OBDs since the 1970's when most direct discharges of untreated waste (i.e., "straight pipes") were banned. By the late 1980s, most of the straight pipe discharges were connected to municipal wastewater treatment systems or were replaced with subsurface leachfield systems. Certain properties were not within the reach of a public sewer line and did not have suitable soils for the installation of a subsurface treatment system. In these cases, OBDs were installed.² While the state's 650 OBD's were a substantial improvement over straight pipes, they are relics of an

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https://docs.google.com/document/d/115QquRUMBaNfl_PD5zApE1JfXs5XHUuE43xn8hSRw6E/edit?tab=t.77xxqrgifvqp

² https://www.maine.gov/dep/water/wd/OBD/ip_obd.pdf

earlier time when we cared little about how human waste impacts the flora, fauna and waters in its path.

Over time, the pollution that results from these systems has negatively impacted nearby fisheries and shellfish habitats, too often forcing the state to close impacted areas to local harvesters. This is why OBD's are installed only by license of the Maine DEP, and why the Maine DEP is helping to eliminate them over time with a grant program that helps property owners replace them with more robust systems. This bill is the result of collaboration between the DEP, DMR, and the Shellfish Advisory Council.

This bill does several things to improve the DEP's program including but not limited to:

1. It streamlines and updates income eligibility thresholds for the grant program;
2. It improves accountability and compliance by requiring proof that replacement of an OBD system was inspected by a licensed site evaluator;
3. It protects consumers by requiring a seller of residential real property to disclose in the property disclosure statement provided to the purchaser the use of an overboard discharge system on the property and a summary of the transfer requirements for such a system

We at Maine Conservation Voters support measures that keep our woods, waters and lands available to legacy industries like sustainable forestry, sustainable fishing and shellfish harvesting and sustainable agriculture, making sure that these industries thrive for generations to come. This is why we support LD401. Thank you for your consideration and I'd be happy to answer your questions.